

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 16

49th Legislature, 2nd Session, 2010

Tracking Number: .180156.1

Short Title: Expand LESC Authority to Higher Education

Sponsor(s): Senator Timothy M. Keller

Analyst: David Harrell

Date: February 2, 2010

Bill Summary:

SB 16 expands the authority of the Legislative Education Study Committee (LESC) to study higher education as part of the committee's study of education in New Mexico.

Fiscal Impact:

SB 16 makes no appropriation.

Fiscal Issues:

The expansion of authority that the bill provides may cause the LESC to incur additional costs in terms of personnel, travel, office supplies, and related expenses.

Substantive Issues:

The only permanent, nonpartisan legislative committee dedicated to public education in the country, the LESC is currently authorized to "conduct a continuing study of all education in New Mexico, the laws governing such education and the policies and costs of the New Mexico educational system provided that such studies shall not . . . related to higher education, deal with any subject other than the training of certified teaching personnel in post-secondary institutions." By striking the language beginning with the word *provided*, SB 16 extends the committee's authority into higher education as well. This expansion is a logical extension of the direction that the committee's work has taken in recent years.

While distinctions between secondary and postsecondary education will always exist, the current direction of public education, both in New Mexico and across the country, is toward a seamless continuum of education from preschool to graduate school, often called P-20. As early as the 2001 interim, the LESC began its formal study of this educational continuum.

- At that time, both in New Mexico and in certain other states, the vision of a coherent, flexible continuum was beginning to emerge, especially in terms of the National Conference of State Legislatures, which identified major goals of the P-20 system, among them expanded access to preschool, smooth transitions from one educational level to the next, closing the achievement gap, and improving college readiness.
- Since then, this approach has become more the norm than the exception. A compilation by the Education Commission of the States in June 2006 found that at least 30 states,

New Mexico among them, were engaged in some variation of the education continuum, whether K-16, P-16, or P-20; and the June 2008 “Diploma’s Count” issue of *Education Week* reports that 38 states have P-16 councils or governance structures.

Many of the LESC’s recent initiatives have been in support of this P-20 concept. At the early education level, for example, the LESC has supported full-day kindergarten, New Mexico PreK, and Kindergarten Plus; at the elementary and secondary level, the committee has supported the three-tiered licensure system for teachers and school administrators, K-3 Plus, the Next Step Plans, and increased rigor in graduation requirements. In terms of SB 16, a number of other committee initiatives have created or reinforced bridges between secondary and postsecondary education.

- One example is the Dual Credit Program, enacted through LESC-endorsed legislation in 2007 and then amended in 2008, also as endorsed by the LESC.
- Committee testimony provides other examples.
 - Even with regard to the committee’s current authority, through testimony over the years, the LESC has realized that teacher preparation is not the sole province of colleges of education. For one thing, teacher candidates take their content-area courses in other segments of a university, colleges of arts and sciences in particular. For another thing, students often switch majors, moving from one college to another, or go into teaching after working in another field, like science or engineering.
 - During the 2008 interim, in an effort to determine to what extent public postsecondary institutions and local public school districts communicate and coordinate their efforts to prepare students for college-level coursework and the work force, the LESC heard testimony and engaged in discussions with representatives of all of New Mexico’s 28 state and tribal two- and four-year institutions of higher education (IHEs).
 - During the 2009 interim, the LESC heard testimony on a number of other aspects of higher education, among them the implementation by higher education of P-20 provisions in law relating to such matters as alignment between high school curricula and end-of-course tests with placement tests at IHEs; a statewide articulation plan that allows smooth transfer of credits among IHEs; and reports from IHEs to school districts on the first-year outcomes of their former students.

Technical Issues:

The analysis by the Public Education Department notes a technical issue with the implicit effect of the bill. That is, because the bill does not say in so many words that its intention is to expand the authority of the LESC to include higher education, it may implicate Article 4, Section 16 of the state constitution: “The subject of every bill shall be clearly expressed in its title”

Background:

Similar legislation, endorsed by the LESC, was introduced in 2009; but it did not pass.

Related Bill(s):

*SB 73 *Interim Higher Education Committee*